

Amold
24/E
Linda
4/16/01

TECH CENTER 1608/2900

APR 12 2001

RECEIVED

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Heath et al.

Serial No.: 08/699,716

Filed: August 27, 1996

For: Recombinant F1-V Plague Vaccine



Examiner: Duffy, P.

Group Art Unit: 1645

Atty Docket: 003/028 SA

* * * * *

April 9, 2001

Preliminary Amendment and Response

Honorable Commissioner of
Patents and Trademarks
Washington, D. C. 20231

Sir:

This application is being refiled as a Continued Prosecution Application. This is a preliminary amendment and response to the Final Office Action dated September 12, 2000 in the subject application. Kindly amend the application as follows.

IN THE CLAIMS

Kindly cancel nonelected claims 18-29 without prejudice. Applicant reserves the right to prosecute these claims in another properly filed application.

Kindly cancel claim 32 without prejudice.

Kindly amend the following claim.

31 (Amended). An isolated and purified DNA fragment [comprising a Yersinia pestis F1 capsular antigen fused at

[Handwritten signature]